

NOTICE OF EMERGENCY TIMBER OPERATIONS
SUDDEN OAK DEATH DISEASE

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-66(1052.5) (2/1/11)

OPERATIONS CANNOT COMMENCE FOR 5 WORKING DAYS FROM DATE
OF RECEIPT BY CAL FIRE¹

EM. # _____

Date of Receipt _____

Date Accepted by CAL FIRE _____

Date Expires _____

TIMBER OPERATIONS VALID FOR ONE YEAR FROM DATE OF ACCEPTANCE BY CAL FIRE²

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of PRC § 4592 and 14 CCR §§ 1052-1052.5 to remove timber on an emergency basis. The registered professional forester (RPF) should complete items 1-7 and shall sign the declaration of emergency on page three and provide additional information. The timber owner must sign the declaration of intent to pay the yield tax in Item 1.

1. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

TIMBER TAX NOTICE: The timber owner is responsible for payment of a yield tax and must complete the following declaration: ***I declare, under penalty of perjury, that any applicable timber yield taxes will be paid, pursuant to Section 38115 of the Revenue and Taxation Code*** (complete the signature below). TIMBER TAX EXEMPTION: Timber owners owe timber yield tax when they harvest trees unless the harvest is exempt (Revenue and Taxation Code sec. 38116). Some small or low value harvests may be exempt from the timber yield tax: timber removed from an operation whose value does not exceed \$3,000 within a quarter, according to BOE Harvest Value Schedules, Rule 1024. If you believe your harvest may qualify for this exemption, please complete Items A, B, C, and D below. **For timber yield tax information or for assistance with these questions call 1-800-400-7115**, or write: Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, CA 94279-0060; or see the BOE Web Page on the Internet <http://www.boe.ca.gov>.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest:

Redwood _____ %; Ponderosa pine/Sugar pine _____ %; Douglas-fir _____ %; Fir _____ %;

Port-Orford Cedar _____ %; Cedar (IC, WRC) _____ %; Other conifer _____ %; Other hardwood _____ %.

C. Fuelwood over 150 cords? Yes _____ No _____. D. Christmas trees over 3,000 lineal feet? Yes _____ No _____.

SIGNATURE OF TIMBER OWNER: _____ Date _____

2. TIMBERLAND OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

3. LICENSED TIMBER OPERATOR(S): Name _____ Lic. No. _____

Address _____

City _____ State _____ Zip _____ Phone _____

4. Describe the nature of the emergency and the need for immediate harvesting of trees. Include the specific conditions that constitute the emergency, its cause, extent, reason for the immediate commencement of timber operations, and conformance with all subsections of 14 CCR §§ 1052.1(f) , 1052.2 (a) and 1052.5: _____

5. Describe the yarding system to be followed: _____

6. Provide the expected dates of commencement _____ and completion _____ of timber operations.
7. Designate the legal land description of the location of the timber operation. Attach a titled USGS (if available) or equivalent topographic map(s) of scale not less than 2" to the mile, or larger scale, showing the area from which timber will be cut or removed, the legal description, roads and Class I, II, III and IV watercourses, and yarding systems if more than one will be used. It would be helpful to include a USGS 7.5 minute quadrangle or equivalent map, describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas.

Section	Township	Range	Base & Meridian	County	Logging Area Acreage (Estimated)	Assessors Parcel # (Optional)
_____	_____	_____	_____	_____	_____	_____

The following are limitations or requirements for timber operations conducted under a Notice of Emergency Timber Operations (Notice, Notice of Emergency, or Emergency Notice) for Sudden Oak Death Disease:

1. This notice must be submitted to and received by CAL FIRE at one of the offices listed below. Timber operations may not commence for 5 working days after receipt by CAL FIRE, unless the waiting period is waived by the Director of CAL FIRE (Notice of Acceptance from CAL FIRE will constitute a waiver of the 5 day period).
2. 14 CCR §§ 895.1 and 1052.1 define and list emergency conditions. Citing or paraphrasing of these sections does not satisfy the requirements of § 1052.2 or 1052.5. The RPF preparing the notice must accomplish the following to substantiate the emergency: Describe the nature of the emergency and the need for immediate cutting in sufficient detail so the reason for the emergency is clear.
3. Timber operations conducted under this notice must meet the stocking standards contained in 14 CCR § 1052.5(b)(8). The timber operations shall also comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan," and with the exceptions or additional requirements contained in §1052.5(b)(1)-11). The requirements to submit a completion and stocking report apply.
4. The Emergency Notice filing shall contain the following:
 - a. A certified lab test validating SOD infestation;
 - b. Written concurrence from the CAL FIRE Pest Specialist per 1052.5(a)(4);
 - c. Written proof of notification and receipt of the emergency notice to the public agencies listed in § 1052.5(b)(1); and
 - d. A description of the strategies employed, which will be utilized to control or suppress the SOD infestation on the harvest area along with those measures to be used to minimize the risk of spreading *Phytophthora ramorum* from the logging area by way of infected soil and infected host material.

In developing such strategies, the RPF shall draw from the list of Mitigation and Management Recommendations in the California Oak Mortality Task Force publication Sudden Oak Death for Forestry, August 2010 at: www.suddenoakdeath.org/diagnosis-and-management/best-management-practices/.

5. The RPF preparing the emergency notice must sign the declaration of emergency and the timber owner must sign the declaration of intent to pay the Timber Yield Tax (PRC § 4592).
6. Timber Operations under this Notice of Emergency are valid for one year from date of acceptance by CAL FIRE. If timber operations are to extend beyond that period, such operations must be described in an approved Timber Harvesting Plan. If there is any doubt that a timber operation will not be completed by that date, a THP should be submitted to CAL FIRE as soon as possible.
7. A licensed timber operator must be designated upon submission of this notice.
8. For emergency notices covering three acres or more, the RPF shall include a Confidential Archaeological Letter (CAL) with the emergency notice submitted to the Director. The CAL shall include all information required by 14 CCR § 929.1 [949.1, 969.1](c)(2), (7), (8), (9), (10) and (11), including site records, if required pursuant to 14 CCR §§ 929.1 [949.1, 969.1](g) and 929.5. The discovery of human remains requires immediate notification to appropriate agencies. 14 CCR § 929.3 [949.3, 969.3] requires notification to CAL FIRE. The area must not be further disturbed, and any area reasonably suspected to overlie adjacent human remains, until an evaluation is completed by the County Coroner pursuant to Health and Safety Code § 7050.5. If the human remains are determined to be Native American, the Native American Heritage Commission must also be notified pursuant to Public Resources Code § 5097.98.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber owners, timberland owners and timber operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Emergency. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. Box 2006, San Francisco, CA 94126, CAL FIRE, Forest Practice, P.O. Box 944246, Sacramento, CA 94244-2460; or CAL FIRE's Web Page at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa,
San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.

=> Forest Practice Program Manager
=> CAL FIRE
135 Ridgway Avenue
Santa Rosa, CA 95401

Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta,
Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.

=> Forest Practice Program Manager
=> CAL FIRE
6105 Airport Road
Redding, CA 96002

Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles,
Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino,
San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.

=> Forest Practice Program Manager
=> CAL FIRE
=> 1234 East Shaw Avenue
Fresno, CA 93710

I declare, under penalty of perjury, that an emergency exists requiring immediate timber harvesting activities within the meaning of 14 CCR §§ 1052-1052.5:

RPF Signature: _____ Lic. No. _____ Date _____

RPF Printed Name: _____ Phone _____

Address _____ City _____ State _____ Zip _____